

107TH CONGRESS
1ST SESSION

S. 1597

To amend the Public Health Service Act to establish programs to alleviate the nursing profession shortage, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 31, 2001

Mr. KERRY (for himself, Mr. JEFFORDS, Mr. DASCHLE, Mrs. HUTCHISON, Mr. KENNEDY, Mr. HARKIN, Mr. REED, Mrs. MURRAY, Mr. WELLSTONE, Mrs. CLINTON, and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to establish programs to alleviate the nursing profession shortage, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nurse Reinvestment
5 Act”.

1 **SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE**
2 **ACT.**

3 Title VIII of the Public Health Service Act (42
4 U.S.C. 296 et seq.) is amended—

5 (1) in section 846(a)(3), by inserting “in a
6 nursing home, in a hospice, in a home health agen-
7 cy,” after “in a public hospital,”; and

8 (2) by adding at the end the following:

9 **“PART H—INITIATIVES TO COMBAT NURSING**
10 **SHORTAGES**

11 **“SEC. 851. PUBLIC SERVICE ANNOUNCEMENTS.**

12 “(a) IN GENERAL.—The Secretary shall develop and
13 issue public service announcements that shall advertise
14 and promote the nursing profession, highlight the advan-
15 tages and rewards of nursing, and encourage individuals
16 from diverse communities and backgrounds to enter the
17 nursing profession.

18 “(b) METHOD.—The public service announcements
19 described in subsection (a) shall be broadcast in appro-
20 priate languages via appropriate media outlets, including
21 on television or radio, in a manner intended to reach as
22 wide and diverse an audience as possible.

23 **“SEC. 852. STATE AND LOCAL PUBLIC SERVICE ANNOUNCE-**
24 **MENTS.**

25 “(a) IN GENERAL.—The Secretary shall award
26 grants to eligible entities to support State and local adver-

1 tising campaigns via appropriate media outlets to promote
 2 the nursing profession, highlight the advantages and re-
 3 wards of nursing, and encourage individuals from dis-
 4 advantaged communities and backgrounds to enter the
 5 nursing profession.

6 “(b) DEFINITIONS.—In this section:

7 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
 8 tity’ means a professional State nursing association,
 9 State health care provider association, accredited
 10 school of nursing, and any other entity that provides
 11 similar services or serves a like function.

12 “(2) STATE HEALTH CARE PROVIDER ASSOCIA-
 13 TION.—The term ‘State health care provider associa-
 14 tion’ means a professional association of hospitals,
 15 nursing homes, home health care agencies, hospices,
 16 consortia of said associations, or other such entities
 17 deemed eligible by the Secretary.

18 “(c) USE OF FUNDS.—An eligible entity that receives
 19 a grant under subsection (a) shall use funds received
 20 through such grant to buy local television and radio time,
 21 place advertisements in local newspapers, post information
 22 on billboards or on the Internet, or utilize other appro-
 23 priate media outlets in order to—

24 “(1) advertise and promote the nursing profes-
 25 sion;

1 “(2) promote nursing education programs;

2 “(3) inform the public of public assistance re-
3 garding such education programs;

4 “(4) highlight individuals in the community
5 that are presently practicing nursing in order to re-
6 cruit new nurses; or

7 “(5) provide any other information to recruit
8 individuals to enroll in nursing programs.

9 “(d) METHOD.—The campaigns described in sub-
10 section (a) shall be broadcast in appropriate languages on
11 television or radio, or placed in newspapers as advertise-
12 ments, posted on billboards or the Internet, or publicized
13 via other appropriate media outlets in a manner intended
14 to reach as wide and diverse an audience as possible.

15 “(e) APPLICATION.—An eligible entity desiring a
16 grant under subsection (a) shall submit an application to
17 the Secretary at such time, in such manner, and con-
18 taining such information as the Secretary may reasonably
19 require.

20 **“SEC. 853. NURSE RECRUITMENT GRANT PROGRAM.**

21 “(a) PROGRAM AUTHORIZED.—The Secretary shall
22 award grants to eligible entities to increase nursing edu-
23 cation opportunities.

1 “(b) USE OF FUNDS.—An eligible entity that receives
2 a grant under subsection (a) shall use funds received from
3 such grant to—

4 “(1) support outreach programs at primary,
5 junior, and secondary schools that inform guidance
6 counselors and students of education opportunities
7 regarding nursing;

8 “(2) carry out special projects to increase nurs-
9 ing education opportunities for individuals who are
10 from disadvantaged backgrounds (including economi-
11 cally disadvantaged backgrounds and racial and eth-
12 nic minorities underrepresented among registered
13 nurses) by providing student scholarships or sti-
14 pends, pre-entry preparation, or retention activities;

15 “(3) provide assistance to diploma, associate de-
16 gree, and collegiate schools of nursing to support re-
17 medial education programs for nursing students who
18 require assistance with math, science, English, and
19 medical terminology; or

20 “(4) meet the costs of child care and transpor-
21 tation for individuals who are taking part in a nurs-
22 ing education program at any level.

23 “(c) APPLICATION.—An eligible entity desiring a
24 grant under subsection (a) shall submit an application to
25 the Secretary at such time, in such manner, and con-

1 taining such information as the Secretary may reasonably
 2 require.

3 **“SEC. 854. AUTHORIZATION OF APPROPRIATIONS.**

4 “There is authorized to be appropriated to carry out
 5 this part, \$20,000,000 for each of the fiscal years 2002
 6 through 2004.

7 **“PART I—INITIATIVES TO STRENGTHEN THE**
 8 **NURSING WORKFORCE**

9 **“SEC. 861. CAREER LADDER GRANT PROGRAM.**

10 “(a) PROGRAM AUTHORIZED.—The Secretary shall
 11 award grants to eligible entities to assist individuals in ob-
 12 taining education required to enter the nursing profession
 13 and advance within such profession.

14 “(b) ELIGIBLE ENTITY.—The term ‘eligible entity’
 15 means a diploma, associate degree, or collegiate school of
 16 nursing.

17 “(c) USE OF FUNDS.—An eligible entity that receives
 18 a grant under subsection (a) shall use funds under such
 19 grant to establish student scholarships or stipends for
 20 nurse professionals, licensed practical nurses, certified
 21 nurse assistants, and home health aides who enroll in
 22 entry level nursing programs, advanced practice nursing
 23 degree programs, RN/Master’s nursing degree programs,
 24 doctoral nursing programs, public health nursing pro-
 25 grams, nurse educator programs, nurse administrator pro-

1 grams, and training programs focused on specific tech-
 2 nology use or disease management.

3 “(d) APPLICATION.—An eligible entity desiring a
 4 grant under subsection (a) shall submit an application to
 5 the Secretary at such time, in such manner, and con-
 6 taining such information as the Secretary may reasonably
 7 require.

8 **“SEC. 862. GRANTS FOR CURRICULUM DEVELOPMENT.**

9 “(a) PROGRAM AUTHORIZED.—The Secretary shall
 10 award grants to eligible entities to develop and incorporate
 11 gerontology curriculum and competencies.

12 “(b) ELIGIBLE ENTITY.—The term ‘eligible entity’
 13 means a diploma, associate degree, or collegiate school of
 14 nursing.

15 “(c) USE OF FUNDS.—An eligible entity that receives
 16 a grant under subsection (a) shall use funds under such
 17 grant to develop stand alone courses in geriatric nursing
 18 to support concentrations, minors, and majors in the dis-
 19 cipline, to hire faculty who are certified in geriatric nurs-
 20 ing, to train nursing faculty members in gerontology, to
 21 provide continuing education in gerontology for practicing
 22 nurses at diploma, associate degree, and baccalaureate
 23 schools of nursing.

24 “(d) APPLICATION.—An eligible entity desiring a
 25 grant under subsection (a) shall submit an application to

1 the Secretary at such time, in such manner, and con-
 2 taining such information as the Secretary may reasonably
 3 require.

4 **“SEC. 863. GRANTS FOR PARTNERSHIPS.**

5 “(a) IN GENERAL.—The Secretary shall award
 6 grants to eligible entities to enable such entities to form
 7 partnerships to carry out the activities described in sub-
 8 section (d).

9 “(b) ELIGIBLE ENTITY.—The term ‘eligible entity’
 10 means an accredited school of nursing and a health care
 11 facility that forms a partnership to provide the services
 12 described in this section.

13 “(c) HEALTH CARE FACILITY.—The term ‘health
 14 care facility’ means a hospital, nursing home, home health
 15 care agency, hospice, federally qualified health center,
 16 rural health clinic, or public health clinic.

17 “(d) USE OF FUNDS.—An eligible entity that receives
 18 a grant under subsection (a) shall use funds received
 19 through such grant to—

20 “(1) provide employees of the facility advanced
 21 training and education at the school or facility;

22 “(2) establish or expand nursing practice ar-
 23 rangements in noninstitutional settings to dem-
 24 onstrate methods to improve access to primary

1 health care in medically underserved communities;
 2 and

3 “(3) purchase distance learning technology to
 4 extend general education and training programs to
 5 rural areas, and to extend specialty education and
 6 training programs to all areas.

7 “(e) APPLICATION.—An eligible entity desiring a
 8 grant under subsection (a) shall submit an application to
 9 the Secretary at such time, in such manner, and con-
 10 taining such information as the Secretary may reasonably
 11 require.

12 **“SEC. 864. AUTHORIZATION OF APPROPRIATIONS.**

13 “There is authorized to be appropriated to carry out
 14 this part, \$20,000,000 for each of the fiscal years 2002
 15 through 2004.

16 **“PART J—NATIONAL NURSING SERVICE CORPS**
 17 **SCHOLARSHIP PROGRAM**

18 **“SEC. 871. NATIONAL NURSING SERVICE CORPS SCHOLAR-**
 19 **SHIP PROGRAM.**

20 “(a) PROGRAM AUTHORIZED.—The Secretary shall
 21 establish a National Nurse Service Corps Scholarship pro-
 22 gram (referred to in this section as the ‘program’) that
 23 provides scholarships to individuals seeking nursing edu-
 24 cation in exchange for service by such individuals in areas
 25 with nursing shortages.

1 “(b) PREFERENCE.—In awarding scholarships under
2 this section, the Secretary shall give preference to appli-
3 cants with the greatest financial need, and applicants who
4 agree to serve in health facilities experiencing nursing
5 shortages in medically underserved areas.

6 “(c) REQUIREMENTS.—To be eligible to participate
7 in the program, an individual must—

8 “(1) be accepted for enrollment, or be enrolled,
9 in an accredited school of nursing, to take courses
10 leading to a baccalaureate or associate degree in
11 nursing, or a diploma in nursing;

12 “(2) submit an application to participate in the
13 program; and

14 “(3) enter into an agreement with the Sec-
15 retary, at the time of submittal of such application,
16 to—

17 “(A) accept payment of a scholarship and
18 remain enrolled in a nursing school;

19 “(B) maintain an acceptable level of aca-
20 demic standing; and

21 “(C) serve as a nurse for a period of not
22 less than 2 years in an Indian Health Service
23 health center, a Native Hawaiian health center,
24 a public hospital, a migrant health center, a
25 community health center, a rural health clinic,

1 a nursing home, a home health agency, hospice,
2 or a public or nonprofit private health facility
3 determined by the Secretary to have a critical
4 shortage of nurses.

5 “(d) APPLICATIONS.—

6 “(1) IN GENERAL.—The application forms for
7 the programs shall include—

8 “(A) a fair summary of the rights and li-
9 abilities of an individual whose application is
10 approved by the Secretary; and

11 “(B) information respecting meeting a
12 service obligation and such other information as
13 may be necessary for the individual to under-
14 stand the program.

15 “(2) ACCESSIBILITY.—The application form
16 and all other information furnished by the Secretary
17 shall be written so that it may be understood by the
18 average individual applying to participate in the pro-
19 gram. The Secretary shall make such application
20 forms, and other information available to individuals
21 desiring to participate in the program, on a date
22 sufficiently early to ensure that such individuals
23 have adequate time to carefully review and evaluate
24 such forms and information.

1 “(3) DISTRIBUTION.—The Secretary shall dis-
 2 tribute to nursing schools materials providing infor-
 3 mation on the program and shall encourage the
 4 schools to disseminate the materials to students of
 5 the schools.

6 “(e) SCHOLARSHIP.—

7 “(1) IN GENERAL.—A scholarship provided to a
 8 student for a school year under a written contract
 9 under the program shall consist of—

10 “(A) payment to, or (in accordance with
 11 paragraph (2)) on behalf of the student of—

12 “(i) the tuition of the student in such
 13 school year; and

14 “(ii) all other reasonable educational
 15 expenses and support services, including
 16 fees, books, and laboratory expenses in-
 17 curred by the student in such school year;
 18 and

19 “(B) payment to the student of a stipend
 20 of \$400 per month (adjusted in accordance with
 21 paragraph (3)) for each 12 consecutive months
 22 beginning with the first month of the school
 23 year.

24 “(2) CONTRACT.—The Secretary may contract
 25 with a nursing school, in which a participant in the

1 program is enrolled, for the payment to the nursing
 2 school of the amounts of tuition and other reason-
 3 able educational expenses described in paragraph
 4 (1)(A).

5 “(3) MONTHLY STIPEND.—The amount of the
 6 monthly stipend, specified in paragraph (1)(B) and
 7 as previously adjusted (if at all) in accordance with
 8 this paragraph, shall be increased by the Secretary
 9 as the Secretary determines to be reasonable.

10 “(f) BREACH OF AGREEMENT.—

11 “(1) IN GENERAL.—In the case of an individual
 12 who enters into an agreement under this section to
 13 provide service as a nurse in consideration for re-
 14 ceiving a scholarship, such individual is liable to the
 15 Federal Government for the amount of such scholar-
 16 ship, and for interest on such scholarship at the
 17 maximum legal prevailing rate, if the individual—

18 “(A) fails to maintain an acceptable level
 19 of academic standing in the nursing program;

20 “(B) is dismissed from the nursing pro-
 21 gram for disciplinary reasons;

22 “(C) voluntarily terminates the nursing
 23 program; or

1 “(D) fails to provide services in accordance
2 with the program under this section for the pe-
3 riod of time applicable under the program.

4 “(2) WAIVER OR SUSPENSION OF LIABILITY.—
5 The Secretary shall provide for the waiver or sus-
6 pension of liability under this section if compliance
7 by the individual with the agreement is impossible,
8 or would involve extreme hardship to the individual,
9 or if enforcement of the agreement with respect to
10 the individual would be unconscionable.

11 “(3) DATE CERTAIN FOR RECOVERY.—Subject
12 to paragraph (2), any amount that the Federal Gov-
13 ernment is entitled to recover under paragraph (1)
14 shall be paid to the United States not later than the
15 expiration of the 3-year period beginning on the date
16 the United States becomes so entitled.

17 “(4) AVAILABILITY.—Amounts recovered under
18 paragraph (1) with respect to a program under this
19 section shall be available for the purposes of such
20 program, and shall remain available for such pur-
21 poses until expended.

22 “(g) DEFINITIONS.—In this section:

23 “(1) COMMUNITY HEALTH CENTER.—The term
24 “community health center” has the meaning given
25 such term in section 330(a).

1 “(2) RURAL HEALTH CLINIC.—The term “rural
2 health clinic” has the meaning given such term in
3 section 1861(aa)(2) of the Social Security Act.

4 “(h) AUTHORIZATION OF APPROPRIATIONS.—For the
5 purpose of payments under agreements entered into under
6 subsection (a), there are authorized to be appropriated
7 \$65,000,000 for each of the fiscal years 2002 through
8 2004.”.

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